

RECEIVED
CENTRAL FAX CENTER
JUN 15 2007

REMARKS

Summary of Telephone Examiner/Attorney Interview 05/02/2007.

Applicants thank Examiner for the interview granted to their attorney, Janis E. Clements, on May 2, 2007. In that interview, Applicants' attorney discussed with Examiner our intention of amending the claims in order to more clearly define the present invention and overcome 101 and 112 rejections. The Examiner and Applicants agreed upon language for amending the claims for overcoming the 101 and 112 rejections. Applicants also discussed with Examiner the 102 rejection. Applicants explained that the prior art, Daniell et al., does not teach transmitting only symbols having information regarding an attachment to a receiving terminal while storing their corresponding attachments at a sending terminal, allowing a user at a receiving terminal to download, select, or delete objects or not, depending on the networking environment and the contents and sizes of the objects. The symbol transmission described in the application is not tied up with the user's processing, without the user downloading an entire list of email titles, for example.

Response to Claims Objections

The Examiner objected to claims 6, 7, 13, 14 and 20 because of informalities that have been corrected per the Examiner's suggestions amendments. Claims 6, 7, 13, 14, and 20 have been amended and are patentable over the Examiner's objections.

Rejection under 35 U.S.C. §101

The Examiner rejected claims 15-20 under 35 USC 101, stating the claimed invention is directed to non-statutory subject matter. Claims 15-20 have been amended with language proposed by Applicants and discussed in the Examiner hearing so that they no longer are directed to software. Claims 15-20 are patentable over 35 USC 101.

Rejection under 35 U.S.C. §112

The Examiner rejected claims 9-20 under 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 9-20 have been amended with language proposed by Applicants and discussed in the Examiner hearing, therefore claims 9-20 are patentable over 35 USC 112.

Rejection under 35 U.S.C. §102

The Examiner rejected claims 1-20 under 35 USC 102 as being anticipated by Daniell et al. (US Pub. No. 2004/0068545), stating that Daniell discloses a communication network for electronic mail distribution between data processor controlled interactive display terminals, a sending terminal comprising, means for storing data as a body, means for handshaking with a receiving terminal, means for converting data in the sending terminal into a set of symbols, means for transmitting symbols to the receiving terminal, and means for transferring the data objects in response to requests by the receiving terminal (page 3 [0040], page 1 [0001-0003], page 4 [0050; 0052] page 5

[0053, 0059], page 6 [0065-0068] and Figs 1, 2, 3, 4, 15, and 17 of Daniell). Specifically, the Examiner states that the technique in Daniell for "means for storing data" is shown in Figs. 2, 3, 4, 15, and 17, which shows "composing an email with body and attachment, and send to a receiving device." However, Applicants amended independent claims recite *means for storing data as a body and an attachment in a separate folder stored at the sending terminal* which is never sent unless a request is made by a receiving terminal after a user has determined whether to download the attachment from the user's review of information received in a corresponding symbol the size of the attachment and other related information about the attachment. Daniell does not teach storing the attachment in a separate folder at the sending terminal.

Responsive to the Examiner's rejection of claims 1-20, Applicants submit that Daniell does not teach or enable *means for storing data as a body and an attachment in a separate folder stored at the sending terminal* as claimed by Applicants. The present claimed invention as defined in Claim 1, for example, *means for storing data as a body and an attachment in a separate folder stored at the sending terminal and storing the symbols having information about the attachment in the separate folder stored at the sending terminal with the attachment* which is not transferred to the receiving terminal unless the receiving terminal requests the transfer of the attachment or data objects. (See page 5 of the application for discussion regarding the "key to the invention is the separate storage at the sending terminal of the E-mail with information about its attachment, and the full attachment" (See also, Fig. 2 of the application). The invention relates to electronic mail distribution between data processor controlled interactive display terminals, and particularly to a sending terminal configured to store *data as a body and*

an attachment in a separate folder stored at the sending terminal. The invention does not relate to storing the attachment in a "default attachment directory", but relates to a separate folder at the sending terminal. A "default attachment directory is not a "separate folder" as described by Applicants in the application.

Daniell only teaches a sending terminal configured to allow a user to compose an email message by entering textual message into the body of the document, add a file as an attachment, and send the email with body and attachment to a receiving device (page 4 [0050] lines 8-12, page 4 [0052] lines 1-4, and Figs. 2, 3, 4, 15, and 17 of Daniell

Daniell does not teach *means for storing data as a body and an attachment in a separate folder stored at the sending terminal* as claimed by Applicants. For at least this reason and the reasons cited above it is believed that claim 1 and its dependent claims 3-5, and 7 are allowable over Daniell.

The Examiner rejected independent claims 8 and 15, which are similar to independent claim 1, and are patentable under 35 U.S.C. 102 and are not anticipated by Daniel since Daniell does not disclose *means for storing data as a body and an attachment in a separate folder stored at the sending terminal*. Dependent claims 9-14 depend from claim 8, and are similar to dependent claims 3-5, and 7, and are therefore patentable for the same reason discussed above under 35 U.S.C. 102 and are not anticipated by Daniell. Similarly, dependent claims 17-20 are similar to dependent claims 3-5, 7, and 9-14, and are therefore patentable for the same reason discussed above under 35 U.S.C. 102 and not anticipated by Daniell. For at least this reason and the reasons cited above it is believed that claims 8 and 15, and their dependent claims 9-14 and 17-20 are allowable over Daniell.

Regarding the dependent claims 3-5, and 7, in claim 3, the Examiner stated Daniell discloses the electronic mail communication network of claim 2 (now cancelled, but defined in claim 1), further comprising means responsive to a request from the receiving terminal to select a data object from the sending terminal (page 6 [00661, lines 4-5 of Daniell]). The Examiner rejected claim 4 over Daniell, stating Daniell discloses the electronic mail network of claim 3, further comprising means responsive to a request from the receiving terminal to download a data object from the sending terminal, (page 6 [0067-0068]). The Examiner rejected claim 5 over Daniell, stating Daniell discloses the electronic mail communication network of claim 4 further comprising means responsive to a request from the receiving terminal to delete a data object from the sending terminal (page 6 [0064] lines 13-17). The Examiner rejected claim 7 over Daniell, stating Daniell discloses the electronic mail communication network of claim 6 (now cancelled, but defined in claim 1) further comprising means for separately transmitting said symbol from said data object (page 6 [0064-0068]). Since claims 3-5, and 7 depend from claim 1, and claim 1 is patentable over Daniell, claims 3-5, and 7 are also patentable under 35 U.S.C. 102 and not anticipated by Daniell.

Regarding dependent claims 9-14, the Examiner stated Daniell discloses the method in claim 9 for determining from said symbols a size of their corresponding data object (page 6 [0065] lines 2-6, Fig. 17 of Daniell). The Examiner stated Daniell discloses the method in claim 10 for responsive to a request from the receiving terminal, selecting a data object from the sending terminal (page 6 [0066] lines 4-5). The Examiner stated Daniell discloses the method of claim 11 for downloading a data object from the sending terminal, responsive to a request from the receiving terminal (page 6

[0067-0068]). The Examiner stated that Daniell discloses the method of claim 12 for deleting a data object from the sending terminal, responsive to a request from the receiving terminal (page 6 [0064] lines 13-17). The Examiner stated that Daniell discloses the method of claim 13 wherein said storing of a symbol of said data object is stored separately from its corresponding data object in a separate file folder at the sending terminal (page 4 [0045], page 6 [0064]). The Examiner stated that Daniell discloses the method of claim 14 of separately transmitting said symbol from said data object (page 6 [0064-0068]). Since claims 9-14 depend from claim 8 and relate to *means for storing data as a body and an attachment in a separate folder stored at the sending terminal*, and claim 8 is patentable over Daniell, claims 9-14 are also patentable under 35 U.S.C. 102 and not anticipated by Daniell.

Regarding dependent claims 17-20, the Examiner stated that Daniell discloses the computer readable medium of claim 17 for selecting a data object from the sending terminal, responsive to a request from the receiving terminal (page 6 [0066]). The Examiner stated Daniell discloses the computer readable medium of claim 18 for downloading a data object from the sending terminal, responsive to a request from the receiving terminal (page 6 [0067-0068]). The Examiner stated that Daniell discloses the computer readable medium of claim 19 for deleting a data object from the sending terminal, responsive to a request from the receiving terminal (page 6 [0064] lines 13-17). The Examiner stated that Daniell discloses the computer readable medium of claim 20 wherein said storing of a symbol of said data object is stored separately from its corresponding data object in a separate file folder at the sending terminal (page 4 [0045], page 6 [0064]). Since claims 17-20 depend from claim 15 and relate to *means for*

RECEIVED
CENTRAL FAX CENTER
JUN 15 2007

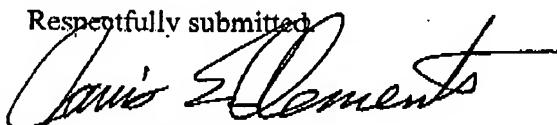
storing data as a body and an attachment in a separate folder stored at the sending terminal, and claim 15 is patentable over Daniell, claims 17-20 are also patentable under 35 U.S.C. 102 and not anticipated by Daniell.

Daniell clearly fails to meet the standard under 35 U.S.C. 102, and do not teach *means for storing data as a body and an attachment in a separate folder stored at the sending terminal*. Thus, it is submitted that claims 1, 3-5, 7-15, and 17-20 are submitted to be patentable under 35 USC 102 and not anticipated under Daniell et al. Applicants respectfully request an allowance.

Conclusion

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims are respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

Respectfully submitted



Janis E. Clements
Reg. No. 45,407
Customer No. 000046242

3112 Lomita Drive
Austin, Texas 78738
(512)970-1639 (telephone)
(512)263-9756 (facsimile)